IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5915 OF 2005

Green Park Co-op. Hsg.Soc. Ltd. .....Petitioner

Versus

State of Maharashtra and Ors. ... Respondents.

Mr. Mangesh M.D. Patel for the petitioner.
Mr. C.R. Sonawane, Assistant Government Pleader, for respondent No. 1.
Mr. A.S. Rao for respondent Nos. 2 and 3.
Mr. Amber Joshi for respondent No.4.

CORAM: **KSHITIJ R. VYAS, C.J.** &
DR. D.Y. CHANDRACHUD, J.

DATE: **MARCH 20, 2006**.

P.C.

Heard the learned counsel for the parties.

2. Learned counsel appearing for the petitioner states that the approach road connecting the petitioner-society is already constructed. He made a grievance that Municipal Corporation has disconnected the water supply with a view to pressurise the petitioner to withdraw the petition. Mr. Rao, learned counsel appearing for the second respondent, states that water supply shall be restored forthwith. He has further stated that in compliance with the order dated 26th October, 2005, passed by this Court, the Comissioner, Kalyan and Dombivali

Municipal Corporation has filed a report wherein he found substance in the complaint of the residents of the petitioner-society that there was no approach road to the society. This point has arisen only because of making the entry of having an approach road to the said society by the then Junior Engineer and the Supervisor and, therefore, a departmental enquiry is contemplated against those erring officers and necessary action would be taken against them. In view of this, nothing more is required to be done in the petition. Mr. Rao, learned counsel appearing for the Corporation, further states that the Corporation shall ensure that pucca approach road would be constructed by the developer on or before 15th June, 2006.

3. In view of the above, the petition is disposed of.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.